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CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC
P.O. BOX 1995
VIENNA, VA 22183

EXAMINER

PULLIAS, JESSE SCOTT

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/676,590
Filing Date: October 01, 2003
Appellant(s): BADT, SIG HAROLD

John E. Curtin, Reg. No. 37,602
P.O. Box 1995
Vienna, VA 22183

For Appellant

EXAMINER'S ANSWER

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This is in response to the appeal brief filed 05/10/10 appealing from the Office action mailed 12/04/09.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 1, 5, 8, 12, 15, 19, and 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groner (5,668,928) in view of Bissonnette et al. (5,602,963).

Claims 4, 11, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groner (5,668,928) in view of Bissonnette et al. (5,602,963), in further view of Vanbuskirk (6,308,157).

Claims 1, 4, 5, 8, 11, 12, 15, 18, 19 and 22-27 are pending in the application.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

5,668,928	Groner	09-1997
5,602,963	Bissonnette et al.	02-1997
6,308,157	Vanbuskirk	10-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 8, 12, 15, 19, and 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groner (5,668,928) in view of Bissonnette et al. (5,602,963).

Consider claim 1, Groner discloses a computer interface system (**Fig 1**, user interface 106), comprising a microphone (**Fig 1**, element 112) that receives audio input from a user, a speech recognition mechanism (**Fig 1**, voice recognition procedures 156) that includes a predefined dictionary having a plurality of recognized input terms and commands (**Fig 1**, standard dictionary 152), and a user interface (**Fig 1** element 110),

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wherein the user interface provides a form having a plurality of pull-down menu fields for user input (**Col 7 lines 23-25**), wherein upon selection of one field and receipt of a recognized command spoken by the user, the user interface displays a list of recognized input terms in a pull-down menu that are appropriate for input into the selected field on the form (**Fig 7 lines 10-15**), wherein upon receipt of an appropriate recognized input term for the selected field, the input term is input in the selected field (**Col 6 lines 5-10, 55-60**).

Groner does not specifically mention the system automatically selects a next field on the form for user input (**Col 7 lines 55-65**).

Bissonnette discloses the system automatically selects a next field on the form for user input (**Col 1 lines 30-31**).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Groner such that the system automatically selects a next field on the form for user input, in order to make form filling less time consuming, a need identified by Bissonnette (**Col 2 lines 7-8**).

Consider claim 8, Groner discloses a computer program product in a computer readable medium for use in a computer interface system (**Fig 1**), the computer program product comprising instructions for displaying a user interface to the user (**Fig 1, element 110**), wherein the user interface provides a form including a plurality of pull-down menu fields for user input (**Col 7 lines 23-25**), instructions for receiving a selection of a field for user input (**Col 6 lines 52-60, Col 7 lines 23-25**), instructions for

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providing a list of recognized input terms for the selected field in a pull-down menu (**Col 7 lines 23-25**), instructions for receiving audio input in the form of at least one word from the list from a user (**Col 6 lines 53-55**), instructions for recognizing the at least one word as an input term or a command (**Col 5 lines 35-44**), instructions for causing the user interface to display a list of recognized input terms for inputting into the selected field if the at least one word is recognized as a command (**Col 7 lines 10-15**), instructions for completing the selected field with the input term if the at least one word is recognized as the input term (**Col 6 lines 5-10, 55-60**).

Groner does not specifically mention automatically selecting the next field on the form for user input upon receipt of a recognized input term.

Bissonnette discloses the system automatically selects a next field on the form for user input (**Col 1 lines 30-31**).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Groner such that the system automatically selects a next field on the form for user input, for reasons similar to those of claim 1.

Claim 15 is directed to the method performed by the instructions executed by the computer of claim 8, and so is rejected for reasons similar to those of claim 8.

Consider claims 5, 12, and 19, Groner discloses displaying a second user interface window upon receipt of a second command (**Fig 4A, 4B**).

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Consider claims 22, 24, and 26, Groner discloses the list of recognized input terms comprises all possible input terms for the one field **(Col 7 lines 1-5, lines 10-15)**.

Consider claims 23, 25, and 27, Groner discloses the list of recognized input terms is defined in the user interface **(Col 7 lines 10-15)**.

Claims 4, 11, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groner (5,668,928) in view of Bissonnette et al. (5,602,963), in further view of Vanbuskirk (6,308,157).

Consider claims 4, 11, and 18, Groner and Bissonnette do not specifically mention outputting an audio prompt that prompts the user to speak a recognized input term.

Vanbuskirk discloses outputting an audio prompt that prompts the user to speak a recognized input term **(Col 6 lines 19-20)**.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Groner and Bissonnette by outputting an audio prompt that prompts the user to speak a recognized input term, in order to better get the user's attention in case the user is not looking at the display.

(10) Response to Arguments

On pages 5-6 the arguments assert that Groner is concerned with the ability to utter "Content Words" and "Non-Content Words" instead of typing these words out using a keyboard, and that in contrast, the words in Figures 4A and 4B are neither Content nor Non-Content words but relate to functions that may be carried out. In response, this analysis is not supported by Groner, who instead teaches "Content words are defined for the purposes of this document to mean words other than prepositions, articles, and conjunctions", see Col 8 lines 55-63, which gives a list of the "non-content words". Therefore, in Fig. 4B the menu item "move to front" would have content words: "move" and "front" and non-content word "to". Further, the discussion in Groner regarding content and non-content words is related to eliminating redundant word sequences for uniquely identifying a menu item, see Col 9 lines 12-21, and is not relevant as to whether or not Groner discloses the display of a pull down menu after the selection of a field and receipt of a spoken, user command.

On page 6, the arguments make the following assertion: "In sum, it does not appear to the Appellant that the drop-down menus in Figure 4B are created after a user utters the word "Arrange" upon viewing the tool bar in Figure 4A". In response, this analysis is not supported by the factual evidence in Groner.

Groner is generally directed to data entry of forms using voice. In Groner, a Voice Syntax File 158 represents all the legal voiced commands that a user can specify at a particular point in the data entry process, for example, a particular position on a form, see Col 5 lines 1-5 and 9-12. The current context 202 of the data entry process defines

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which Voice Syntax file 158 is to be used to decode the next voice input, and is dynamically updated by the application program during data entry, see Col 6 lines 63-67.

Therefore, the set of all the legal voiced commands that a user can specify at a particular point in the data entry process, for example, a particular position on a form, is dynamically updated by the application program during data entry. According to Groner, during the data entry process, *the display is constantly updated to let the user know the set of available choices for user selection via spoken input or otherwise, as well as to show the data previously entered in the form section last selected by the end user*, see Col 7 lines 10-14.

On Col 7 lines 23-28, Groner teaches that "Each such pull down menus can, when using the present invention, be defined as a distinct context."

Therefore, each such pull down menu (since it is explicitly defined by Groner as a context) is dynamically updated by the application during data entry, and the display is constantly updated to let the user know the set of available choices for user selection via spoken input or otherwise, as well as to show the data previously entered in the form section last selected by the end user.

For example, in Fig 4A the context associated with "File" would have the set of available choices "Edit, Layout, Arrange, Pen, Font, Size, Style, New, Open..., etc." If the user spoke the word "Arrange" the context would be updated to that associated with "Arrange", and the display would be updated to that of Figure 4B, since the display is constantly updated to let the user know the set of available choices for user selection

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via spoken input or otherwise, as well as to show the data previously entered in the form section last selected by the end user.

On page 6, the arguments further assert that Groner still does not disclose a user interface that displays a list of recognized input terms in a pull-down menu that are appropriate for input into a selected field after receipt of a recognized command spoken by a user, and that the words in the tool bar of Figures 4A and B are related to functions that can be selected; they do not appear to be terms that are "input into a selected field".

In response, Groner explicitly teaches "During the data entry process, the display is constantly updated to let the user know the set of available choices for user selection via spoken input or otherwise, as well as to show the *data previously entered in the form* section last selected by the end user", see Col 7 lines 10-14. Although figure 4A and B show two examples of contexts within a drawing program where only commands happen to be available for user selection and not fields for data entry, Groner specifically teaches "constantly" updating the display to show "the data previously entered in the form", which shows that the display is constantly updated to let the user know the set of available choices for entering data in a form, not just issuing commands. On Col 6 lines 52-59, Groner gives an example of a context where the available items listed in a menu are "in the left eye", "in the right eye" and "in both eyes". Since Groner explicitly defines a pull down menu as a context, and the display is constantly updated to let the user know the set of available choices for entering data in a form, Groner, at the very least, strongly implies that the available items "listed" in the "menu" may be

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listed in a pull down menu for letting the user know the set of available choices for entering data in the form, especially since on Col 2 lines 35-37, Groner discusses the difficulties of contexts with several dozen or more input values. There simply would not be room on the screen to show all possible choices for all fields on the form at once, and further, the constant updating to show the available choices would not be necessary, since they would all be already shown, similar to a paper form. Therefore, the assertion in the arguments that Groner simply allows menu items to be selected from a pull down menu but does not allow data to be "input into a selected field" does not appear to be supported by the factual evidence in Groner.

Further, even if Groner were to somehow only use a pull down menu for functions in a drawing program, while managing to display the "several dozen or more input values" for each field on the screen all at once during form data entry, entirely without using any pull down menus, the words in the tool bar of Figures 4A and B shown for the drawing program would still be terms that are "input into a selected field". On Col 5 lines 45-50 Groner discloses "When the speech recognition procedures 156 match an end user's spoken input with an entry in the currently selected voice syntax file, the speech recognition procedures return to the Char Tool 150 a value that directly identifies a corresponding input value or user command, which may indicate selection of an object in the data form or may be a form navigation command". A Voice Syntax File 158 represents all the legal voiced commands that a user can specify at a particular point in the data entry process, for example, a particular position on a form, see Col 5 lines 1-5 and 9-12. In the example context of Figure 4A, upon selection of the "Arrange"

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field when the user speaks "Arrange", the user interface displays the list of commands in the pull down menu shown in Figure 4B. The list of commands in the pull down menu are "appropriate for input into the selected field on the form" because they are defined in a Voice Syntax File 158 as the legal voiced commands that the user can specify at that particular point in the navigation, i.e. when the "Arrange" field is currently selected. For example, if the user uttered "Group", the speech recognition procedures 156 would match the end user's spoken input with the "Group" entry in the currently selected voice syntax file, the speech recognition procedures would return to the Char Tool 150 a value that directly identifies the corresponding form navigation command "Group" from field 212. The "Group" command may be fairly considered to be appropriate for input "into" field 212 on Figure 4B because it is located within the physical boundaries of the field, as opposed to, e.g., the word "Pen" which would be considered appropriate for input into field 214.

The remaining arguments on pages 6-7 are similar to those already addressed above, and are not persuasive for similar reasons.

The examiner respectfully requests that the board upholds the rejection of claims 1, 5, 8, 12, 15, 19, and 22-27 under 35 U.S.C. 103(a) as being unpatentable over Groner in view of Bissonnette et al. and the rejection of claims 4, 11, and 18 under 35 U.S.C. 103(a) as being unpatentable over Groner in view of Bissonnette et al., in further view of Vanbuskirk.

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Jesse S Pullias/
Examiner, Art Unit 2626

/David R Hudspeth/
Supervisory Patent Examiner, Art Unit 2626

Conferees:

/D. R. H./
Supervisory Patent Examiner, Art Unit 2626

/James S. Wozniak/
Primary Examiner, Art Unit 2626